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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)
	10/747,815	TAKAHASHI ET AL.
	Examiner Ashley D. Turner	Art Unit 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8,9,10 are rejected under U.S.C.101 because the claimed invention is directed to non-statutory subject matter.

Independent claim 8 claims a "device monitoring program" A device monitoring program are merely functional descriptive material. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes functional descriptive material. Functional descriptive material does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be product and constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter.

Independent claim 9 claims a "device monitoring program" A device monitoring program are merely functional descriptive material. This subject matter is not limited to that which

falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes functional descriptive material. Functional descriptive material does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be product and constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter.

Independent claim 10 claims a "device monitoring program" A device monitoring program are merely functional descriptive material. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes functional descriptive material. Functional descriptive material does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be product and constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11,12,24, and 25 are rejected under 35 U.S.C. 102 (b) as being anticipated by Shimada et al hereinafter Shimada (US 5,790,797).

As per claim 11 Shimada discloses a monitoring method for a plurality of devices in a network, wherein the plurality of devices periodically monitor a state of each other and any device which finds any changes of a monitored device notifies at least one of another device and a device management server about the change (Abstract In order to lighten the processing load on each monitoring device and enable each monitoring device to recognize the operating condition of a network as a whole, each monitoring device monitors operating conditions of transmission devices in a subnetwork allocated thereto and reports the operating conditions to the other monitoring devices periodically or when there is a change in the operating condition).

As per claim 12 Shimada discloses a monitoring method for a plurality of devices in a network, wherein the plurality of devices periodically monitor each other for

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abnormalities and any device which finds any abnormality of a monitored device notifies at least one of another device and a device management server about the abnormality
(Abstract In order to lighten the processing load on each monitoring device and enable each monitoring device to recognize the operating condition of a network as a whole, each monitoring device monitors operating conditions of transmission devices in a subnetwork allocated thereto and reports the operating conditions to the other monitoring devices periodically or when there is a change in the operating condition).

As per claim 24 Natalini discloses a device comprising a device monitoring function for monitoring another device distinct from monitoring device and notifying a third device distinct from said another device of changes in a state of said another device. (Abstract In order to lighten the processing load on each monitoring device and enable each monitoring device to recognize the operating condition of a network as a whole, each monitoring device monitors operating conditions of transmission devices in a subnetwork allocated thereto and reports the operating conditions to the other monitoring devices periodically or when there is a change in the operating condition).

As per claim 25 Natalini discloses a device comprising a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device about any abnormality of said another device.
(Abstract In order to lighten the processing load on each monitoring device and enable

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each monitoring device to recognize the operating condition of a network as a whole, each monitoring device monitors operating conditions of transmission devices in a subnetwork allocated thereto and reports the operating conditions to the other monitoring devices periodically or when there is a change in the operating condition).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1,2,3,4,5,6,10 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Natalini (US 2002/0095269 A1) in view of Terada (US 6,167,046).

As per claim 1, Natalini discloses a device monitoring system connected with a plurality of devices via a network (Pg.2 [0023]), Natalini did not disclose "some of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device of changes in the state of said another device". The general concept of having "some of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device of changes in the state of said another device"

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is well known in the art as taught by Terada. Terada discloses some of the plurality of devices is provided with a device monitoring e.g. (Col. 25 lines 26-34 Busy cancellation determination section 28 determines whether or not the busy state is canceled, based on busy cancellation data BR applied from function implementing unit 39 through I/F 95. CPU 91 in function implementing unit 39 monitors the state if function section 98 and when it determines that the busy state is canceled) function for monitoring e.g. (control command) [Fig. 4D] another device distinct from the monitoring device and notifying a third device distinct from said another device of changes in the state of said another device (Col. 11 lines 29-37 Fig. 1 has a communication control unit 38 for communication with other electrical appliances or equipments through communication path 37 to control other equipments and to be controlled by other equipments.) and (Col. 23 lines 42-50 when a control packet is received in each equipment and it is determined that the equipment is in the busy state(Fig. 8B), a busy packet storing the busy factor 32A is transmitted. Therefore, it can be readily determined by the equipment on the controlling side whether the equipment to be controlled does not have the desired function or the equipment to be controlled cannot perform the desired function simply because it is busy. Further the controlling equipment receives busy factor 32 A, and therefore it can recognize why the desired function cannot be executed). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include some of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a

third device distinct from said another device of changes in the state of said another device in order to have multiple centralized managing equipments.

As per claim 2, Natalini discloses all the limitations of claim 2 which is described above. Natalini also discloses a device monitoring system connected with a plurality of devices via a network (Pg.2 [0023]). Natalini did not disclose, "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device of any abnormality." The general concept of "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device of any abnormality" is well known in the art as taught by Terada. Terada discloses, "each of the plurality of devices is provided with a device monitoring e.g. (Col. 25 lines 26-34 Busy cancellation determination section 28 determines whether or not the busy state is canceled, based on busy cancellation data BR applied from function implementing unit 39 through I/F 95. CPU 91 in function implementing unit 39 monitors the state if function section 98 and when it determines that the busy state is canceled) function for monitoring e.g. (control command) [Fig. 4D] another device distinct from the monitoring device and notifying a third device distinct from said another device of any abnormality." (Col. 11 lines 29-37 Fig. 1 has a communication control unit 38 for communication with other electrical appliances or equipments through communication path 37 to control other equipments and to be controlled by other equipments.) and (Col. 23 lines 42-50

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when a control packet is received in each equipment and it is determined that the equipment is in the busy state (Fig. 8B), a busy packet storing the busy factor 32A is transmitted. Therefore, it can be readily determined by the equipment on the controlling side whether the equipment to be controlled does not have the desired function or the equipment to be controlled cannot perform the desired function simply because it is busy. Further the controlling equipment receives busy factor 32 A, and therefore it can recognize why the desired function cannot be executed). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying a third device distinct from said another device of any abnormality" in order to have multiple centralized managing equipments.

As per claim 3 Natalini discloses all the limitations of claim 3 which is described above. Natalini also discloses a device monitoring system comprising a plurality of devices connected to a network and a device management server i.e. remote center 50, which manages the plurality of devices (Pg.2 [0025]). Natalini did not disclose "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from another device if changes in the state of said another device". The general concept of "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from

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the monitoring device and notifying at least one of the device management server and a third device distinct from another device if changes in the state if said another device" is well known in the art as taught by Terada. Terada discloses, "each of the plurality of devices is provided with a device monitoring e.g. (Col. 25 lines 26-34 Busy cancellation determination section 28 determines whether or not the busy state is canceled, based on busy cancellation data BR applied from function implementing unit 39 through I/F 95. CPU 91 in function implementing unit 39 monitors the state if function section 98 and when it determines that the busy state is canceled) function for monitoring e.g. (control command) [Fig. 4D] another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from another device if changes in the state if said another device" (Col. 11 lines 29-37 Fig. 1 has a communication control unit 38 for communication with other electrical appliances or equipments through communication path 37 to control other equipments and to be controlled by other equipments.) and (Col. 23 lines 42-50 when a control packet is received in each equipment and it is determined that the equipment is in the busy state(Fig. 8B), a busy packet storing the busy factor 32A is transmitted. Therefore, it can be readily determined by the equipment on the controlling side whether the equipment to be controlled does not have the desired function or the equipment to be controlled cannot perform the desired function simply because it is busy. Further the controlling equipment receives busy factor 32 A, and therefore it can recognize why the desired function cannot be executed). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include "each of the plurality of

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devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from another device if changes in the state of said another device" in order to have multiple centralized managing equipments.

As per claim 4 Natalini discloses all the limitations of claim 4, which is described above.

Natalini also discloses a device monitoring system comprising a plurality of devices connected to a network and a device management server i.e. remote center 50, which manages the plurality of devices. Natalini did not disclose "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device for monitoring another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from said another device of any abnormality of said another device".

The general concept of "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device for monitoring another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from said another device of any abnormality of said another device" is well known in the art as taught by Terada.

Terada discloses, "each of the plurality of devices is provided with a device monitoring e.g. (Col. 25 lines 26-34 Busy cancellation determination section 28 determines whether or not the busy state is canceled, based on busy cancellation data BR applied from

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function implementing unit 39 through I/F 95. CPU 91 in function implementing unit 39 monitors the state if function section 98 and when it determines that the busy state is canceled) function for monitoring e.g. (control command) [Fig. 4D] another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from said another device of any abnormality of said another device." (Col. 11 lines 29-37 Fig. 1 has a communication control unit 38 for communication with other electrical appliances or equipments through communication path 37 to control other equipments and to be controlled by other equipments.) and (Col. 23 lines 42-50 when a control packet is received in each equipment and it is determined that the equipment is in the busy state (Fig. 8B), a busy packet storing the busy factor 32A is transmitted. Therefore, it can be readily determined by the equipment on the controlling side whether the equipment to be controlled does not have the desired function or the equipment to be controlled cannot perform the desired function simply because it is busy. Further the controlling equipment receives busy factor 32 A, and therefore it can recognize why the desired function cannot be executed). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include "each of the plurality of devices is provided with a device monitoring function for monitoring another device distinct from the monitoring device and notifying at least one of the device management server and a third device distinct from said device of any abnormality of said another device" in order to have multiple centralized managing equipments.

As per claim 5 Natalini and Terada disclose all the limitations of claim 5 which is described above. Natalini also discloses wherein all of the plurality of devices are provided with the device monitoring function. i.e. monitoring subsystem 30 (Pg. 2 [0023]).

As per claim 6 Natalini discloses all the limitations of claim 6 which is described above. Natalini also disclose wherein the device monitoring function comprises: a device detecting section for recognizing an existence of other devices connected to the network (Pg. 3 paragraph [0035] The refrigerator 14 includes a refrigerated compartment 200, a compressor 202, a freezer compartment 204, an evaporator 206, temperature control dials 208, a compartment light 210, a door 212, and a latch 214, over various sensors 216-220 for monitoring and controlling the operations of the refrigerator. A current sensor 216 measures the current drawn by the refrigerator, one or more temperatures of the compartments and, as appropriate, ambient temperature, an open-door sensor 218 detects when the door 212 is not latched, on-off sensors 219 sense the on the and off states of the compressor 202, the evaporator 206 and the light 210 and a temperature control sensor 220 senses the user selected temperature settings. The existence of the device detecting section for recognizing devices connected to the network is implicit because the system detects activity of the component devices). A status information detecting section for detecting status information about the monitoring device (Pg. 3 paragraph [0035] an open-door sensor

218 detects when the door 212 is not latched, on-off sensors 219 sense the on the and off states of the compressor 202, the evaporator 206 and the light 210 and a temperature control sensor 220 senses the user selected temperature settings); a status information transmission section for transmitting status information about the monitoring device and the another device to at least one of a third device and the device management server (pg. 3 paragraph [0030] When the gateway 42 receives an alarm message over the network 10, the gateway immediately forwards the message to the remote center 50 via a telephone or cable line link 44. The gateway retains any received warning messages and transmits them to the remote center as part of a scheduled periodic transmission, for example, at the end of each week. ; and a status information receiving section for receiving status information at least form any other device (pg. 3 paragraph [0030] If, in the meantime, the gateway receives an alarm message the gateway sends the alarm message and any retained warning messages to the remote center. The gateway also periodically polls the monitoring subsystems and requests up-to-date functional, historical and /or statistical data, and includes the data in the transmissions to the remote center. The operations of the gateway are discussed in more detail below with reference to Fig.6). Natalini did not disclose a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table. The general concept of a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the

recognized other devices; a device management table storage section for storing the created device management table is well known in the art as taught by Terada. Terada discloses a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices (Col. 1 lines 31-35). Similarly, when the control apparatus controls each of the AV equipments connected to the system, an address or ID (Identification) for designating each AV equipment must be known in advance); a device management table storage section for storing the created device management table (Col. 1 lines 40 – 45). In the AV equipment control system described in the aforementioned laid –open patent application, it is necessary for the control apparatus to know in advance correspondence between functions of respective AV equipments and the addresses or IDs of the AV equipments, by incorporating a table of correspondence. When the number of AV equipments is small, it is easy for the control apparatus to know or comprehend the addresses. (IDs and functions utilizing a table). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table in order to control various electrical appliances or equipments. Managing respective addresses of the equipments is necessary.

As per claim 10 Natalini discloses all a device monitoring program which makes a computer installed on each of a plurality of devices connected to a network execute as: a device detecting section for recognizing an existence of other devices connected to the network (Pg. 3 paragraph [0035] The refrigerator 14 includes a refrigerated compartment 200, a compressor 202, a freezer compartment 204, an evaporator 206, temperature control dials 208, a compartment light 210, a door 212, and a latch 214, over various sensors 216-220 for monitoring and controlling the operations of the refrigerator. A current sensor 216 measures the current drawn by the refrigerator, one or more temperatures of the compartments and, as appropriate, ambient temperature, an open-door sensor 218 detects when the door 212 is not latched, on-off sensors 219 sense the on the and off states of the compressor 202, the evaporator 206 and the light 210 and a temperature control sensor 220 senses the user selected temperature settings. The existence of the device detecting section for recognizing devices connected to the network is implicit because the system detects activity of the component devices); a status information detecting section for detecting status information about the monitoring device (Pg. 3 paragraph [0035] an open-door sensor 218 detects when the door 212 is not latched, on-off sensors 219 sense the on the and off states of the compressor 202, the evaporator 206 and the light 210 and a temperature control sensor 220 senses the user selected temperature settings); a status information transmission section for transmitting status information about the monitoring device and the another device to at least one of a third device and the device management server (pg. 3 paragraph [0030] When the gateway 42 receives an alarm

message over the network 10, the gateway immediately forwards the message to the remote center 50 via a telephone or cable line link 44. The gateway retains any received warning messages and transmits them to the remote center as part of a scheduled periodic transmission, for example, at the end of each week. ; and a status information receiving section for receiving status information at least from any other device (pg. 3 paragraph [0030] If, in the meantime, the gateway receives an alarm message the gateway sends the alarm message and any retained warning messages to the remote center. The gateway also periodically polls the monitoring subsystems and requests up-to-date functional, historical and /or statistical data, and includes the data in the transmissions to the remote center. The operations of the gateway are discussed in more detail below with reference to Fig.6). Natalini did not disclose a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table. The general concept of a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table is well known in the art as taught by Terada. Terada discloses a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table. (Col. 1 lines 31-35 Similarly, when the control apparatus

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controls each of the AV equipments connected to the system, an address or ID (Identification) for designating each AV equipment must be known in advance); a device management table storage section for storing the created device management table (Col. 1 lines 40 –45 In the AV equipment control system described in the aforementioned laid –open paten application, it is necessary for the control apparatus to know in advance correspondence between functions of respective AV equipments and the addresses or Ids of the AV equipments, by incorporating a table of correspondence. When the number of AV equipments is small, it is easy for the control apparatus to know or comprehend the addresses. IDs and functions utilizing a table). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini to include a device management table creation section for creating a device management table for use in identifying a device to be monitored out of the recognized other devices; a device management table storage section for storing the created device management table in order to control various electrical appliances or equipments. Managing respective addresses of the equipments is necessary.

Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada in view of Natalini (US 2002/0095269 A1).

As per claim 13 Shimada discloses all the limitations of claim 13 which is described above. Shimada did not disclose the notification includes log information i.e. historical

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data about the monitored device. The general concept of the notification includes log information about the monitored device is well known in the art as taught by Natalini. Natalini discloses the notification includes log information i.e. historical data about the monitored device (Pg. 3 [0030]. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to include the notification includes log information about the monitored device in order to maintain certain information that is useful in the managing current operations.

Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada in view of Terada (US 6,167,046).

As per claim 14 Shimada discloses all the limitations of claim 14 which is described above. Shimada did not disclose each of the devices monitors at least one of a logically close and physically close device. The general concept of each of the devices monitors at least one of a logically close and physically close device is well known in the art as taught by Terada. Terada discloses each of the devices monitors at least one (Col. 9 lines 31-35 In one embodiment, the T&D capability of the consumer electronic devices are used to monitor and maintain a record of the activity of other devices within the home network during normal operation of these devices.) of a logically close e.g. (T.V. and Sony Play stations Col.4 lines 10-12) and physically close device (Col.6 lines 52-55 In accordance with the HAVi standard, there is no single controlling device. Any device

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in the network that has been designed to do so can control other devices.) (Col. 4 lines 29-35 In one embodiment, some or all of the consumer electronic devices are capable of performing test and diagnosis (T&D) functions for other devices owned by the user that may potentially have a fault, and the potentially faulty devices also referred to herein as devices under test or DUTs are designed to operate with testing devices also referred to as T&D devices for purpose of diagnosis). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to include each of the devices monitors at least one of a logically close and physically close device in order to control various electrical appliances or equipments. Managing respective addresses of the equipments is necessary

As per claim 15 Shimada discloses all the limitations of claim 11 which is described above. Shimada did not disclose each of the devices monitors a functionally similar device. The general concept of each of the devices monitors a functionally similar device is well known in the art as taught by Terada. Terada discloses each of the devices monitors a functionally similar device (Col. 9 lines 31-35 In one embodiment, the T&D capability of the consumer electronic devices are used to monitor and maintain a record of the activity of other devices within the home network during normal operation of these devices.). (T.V. and Sony Play stations Col.4 lines 10-12) (Col.6 lines 52-55 In accordance with the HAVi standard, there is no single controlling device. Any device in the network that has been designed to do so can control other devices.) (Col. 4 lines 29-35 In one embodiment, some or all of the consumer electronic devices

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are capable of performing test and diagnosis (T&D) functions for other devices owned by the user that may potentially have a fault, and the potentially faulty devices also referred to herein as devices under test or DUTs are designed to operate with testing devices also referred to as T&D devices for purpose of diagnosis). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to include each of the devices monitors a functionally similar device in order to control various electrical appliances or equipments. Managing respective addresses of the equipments is necessary.

As per claim 16 Shimada discloses all the limitations of claim 11 which is described above. Shimada did not disclose each of the devices monitors devices which differ by at least a certain time period of manufacture. The general concept of each of the devices monitors devices which differ by at least a certain time period of manufacture is well known in the art as taught by Terada. Terada discloses each of the devices monitors devices which differ by at least a certain time period of manufacture (Col. 10 lines 20-35). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to include each of the devices monitors devices which differ by at least a certain time period of manufacture in order to control various electrical appliances or equipments. Managing respective addresses of the equipments is necessary.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Natalini (US 2002/0095269 A1) in view of Terada (US 6,167,046) further in view of Krzyanowski (US 6,792,323 B2).

As per claim 7 Natalini and Terada disclose all the limitations of claim 7 which is described above. Natalini did not disclose wherein the devices further comprise printers. The general concept of having the devices further comprises printers is well known in the art as taught by Krzyanowski. Krzyanowski discloses having the devices further comprises printers (Col. 9 lines 19-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini invention to include the devices further comprises printers in order to print out a hard copy of the status information, in reference to personal files.

As per claim 8 Natalini and Terada disclose all the limitations of claim 8 which is described above. Natalini did not disclose wherein the device-monitoring program makes a computer implement the device monitoring function of the device monitoring

system. The general concept of the device-monitoring program makes a computer implement the device monitoring function of the device monitoring system is well known in the art as taught by Krzyanowski. Krzyanowski discloses the device-monitoring program makes a computer implement the device monitoring function of the device monitoring system (Col.5 lines Fig 1 lines 25-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini invention to include of having the device-monitoring program makes a computer implement the device monitoring function of the device monitoring system in order for a user to be able to access the centralized command and control center through an external interface.

As per claim 26 Natalini disclose all the limitations of claim 26 which is described above. Natalini did not disclose wherein the device further comprises a printer. The general concept of having the device further comprise a printer is well known in the art as taught by Krzyanowski. Krzyanowski discloses having the device further comprises a printer (Col. 9 lines 19-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Natalini invention to include the device further comprise a printer in order to print out a hard copy of the status information, in reference to personal files.

Claim 9 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada (US 5,790,797) in view of Krzyanowski (US 6,792,323 B2).

As per claim 9 Terada discloses notifying a third device distinct from said another device of changes in the state of another device (Abstract In order to lighten the processing load on each monitoring device and enable each monitoring device to recognize the operating condition of a network as a whole, each monitoring device monitors operating conditions of transmission devices in a subnetwork allocated thereto and reports the operating conditions to the other monitoring devices periodically or when there is a change in the operating condition). Shimada did not disclose wherein the device-monitoring program makes a computer implement a device monitoring function for monitoring another device distinct from the monitoring device. The general concept of the device-monitoring program makes a computer implement a device monitoring function for monitoring another device distinct from the monitoring device is well known in the art as taught by Krzyanowski. Krzyanowski discloses device-monitoring program makes a computer implement a device monitoring function for monitoring another device distinct from the monitoring device (Col.5 lines Fig 1 lines 25-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Terada invention to include device-monitoring program makes a computer implement a device monitoring function for monitoring another device distinct from the monitoring device in order for a user to be able to access the centralized command and control center through an external interface.

Claims 17, 18 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada (US 5,790,797) in view of Smyers (US 6,430,629 B1).

As per claim 17 Shimada discloses all the limitations of claim 17 which is described above. Shimada did not disclose wherein each of the devices determines a device to be monitored according to a device management table created by a parent device. The general concept of wherein each of the devices determines a device to be monitored according to a device management table created by a parent device is well known in the art as taught by Smyers. Smyers discloses wherein each of the devices determines a device to be monitored according to a device management table created by a parent device (Col. 2 lines 48-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to have wherein each of the devices determines a device to be monitored according to a device management table created by a parent device in order for a user who wishes to known the history of changes of certain devices over a period of time.

As per claim 18 Shimada and Smyers discloses all the limitations of claim 18 which is described above. Smyers also discloses wherein the device management table is created by the parent device according to device management method properties acquired from the device management server (Col. 2 lines 48-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada to include wherein the device management table is created by the parent device

according to device management method properties acquired from the device management server in order for a user who wishes to know the history of changes of certain devices over a period of time.

Claims 19, 20, 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada (US 5,790,797) in view of Smyers (US 6,430,629 B1) further in view of Gubbi (US 6,434,113B1).

As per claim 19 Shimada and Smyers discloses all the limitations of claim 19 which is described above. Shimada did not disclose the devices which starts up first from among the plurality of devices in the network becomes the parent device. The general concept of having the devices which starts up first from among the plurality of devices in the network becomes the parent device is well known in the art as taught by Gubbi. Gubbi discloses the devices which starts up first from among the plurality of devices in the network becomes the parent device (Abstract lines 17-20). It would have been obvious to one of ordinary skill in at the time of the invention to modify Shimada to include the devices which starts up first from among the plurality of devices in the network becomes the parent device in order to provide a network node to configure control operations in a wireless computer network and to automatically hand over network master operations to an alternate network master device upon detecting an operational failure of the network node.

As per claim 20, Shimada and Smyers disclose all the limitations of claim 20 which is described above. Shimada did not disclose wherein when the parent device experiences a shut down and stops operating, a device, which detects shut down functions as a new parent device. The general concept of wherein when the parent device experiences a shut down and stops operating, a device, which detects shut down functions as a new parent device is well known in the art as taught by Gubbi. Gubbi discloses when the parent device experiences a shut down and stops operating, a device, which detects shut down functions as a new parent device (Abstract lines 1-10). It would have been obvious to one of ordinary skill in at the time of the invention to modify Shimada to include when the parent device experiences a shut down and stops operating, a device, which detects shut down functions as a new parent device in order to provide a network node to configure control operations in a wireless computer network and to automatically hand over network master operations to an alternate network master device upon detecting an operational failure of the network node.

As per claim 21, Shimada and Smyers disclose all the limitations of claim 21 which is described above. Shimada did not disclose wherein when the parent device shuts down, the first device that receives a shut-down notice from the parent device functions as a new parent. The general concept of when the parent device shuts down, the first device that receives a shut-down notice from the parent device functions as a new parent is well known in the art as taught by Gubbi. Gubbi discloses when the parent device shuts down, the first device that receives a shut-down notice from the parent

device functions as a new parent (Abstract lines 1-10). It would have been obvious to one of ordinary skill in at the time of the invention to modify Shimada to include when the parent device shuts down, the first device that receives a shut-down notice from the parent device functions as a new parent in order to provide a network node to configure control operations in a wireless computer network and to automatically hand over network master operations to an alternate network master device upon detecting an operational failure of the network node.

Claim 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada (US 5,790,797) in view of Smyers (US 6,430,629 B1) further in view of Gubbi (US 6,434,113B1) further in view of Moran (US 2002/0177448 A1).

As per claim 22 Shimada, Smyers, and Gubbi disclose all the limitations of claim 21 which is described above. Shimada did not disclose an XML protocol is used as a data description format for a communications section among the devices and a communications section between the device management server. The general concept of having an XML protocol is used as a data description format for a communications section among the devices and a communications section between the device management server is well known in the art as disclosed by Moran. Moran discloses an XML protocol is used as a data description format for a communications section among the devices and a communications section between the device management server (Pg. 2 paragraph [0025]). It would have been obvious to one of ordinary skill in the art at the

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time of the invention to modify Shimada to include an XML protocol is used as a data description format for a communications section among the devices and a communications section between the device management server in order to provide a bias-free means for measuring the performance of various service providers in the wireless communications industry.

Claim 23 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimada (US 5,790,797) in view of Smyers (US 6,430,629 B1) further in view of Krzyanowski (US 6,792,323 B2).

As per claim 23, Shimada and Smyers disclose all the limitations of claim 23 which is described above. Shimada did not disclose wherein the devices further comprise printers. The general concept of having the devices further comprises printers is well known in the art as taught by Krzyanowski. Krzyanowski discloses having the devices further comprises printers (Col. 9 lines 19-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shimada invention to include the devices further comprises printers in order to print out a hard copy of the status information, in reference to personal files.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashley d. Turner whose telephone number is 571-270-

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1603. The examiner can normally be reached on Monday thru Friday 7:30a.m. - 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-270-2603.

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Patent Examiner:

Ashley Turner

Date: _____

Supervisory Patent Examiner

Nathan Flynn

NATHAN FLYNN
SUPERVISORY PATENT EXAMINER

Date: _____